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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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Seong No Yoon

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MCKENNA LONG & ALDRIDGE LLP
1900 K STREET, NW
WASHINGTON, DC 20006

EXAMINER

CORMIER, DAVID G

ART UNIT

PAPER NUMBER

1792

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/556,344	Applicant(s) YOON ET AL.	
	Examiner DAVID CORMIER	Art Unit 1792	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 November 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 4-6, 9 and 13-18 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
3. Regarding Claims 4 and 16, Applicant claims a “depth” and a “thickness” of the depression and decorative band, respectively, but there is no claimed orientation such that the direction of the depth and thickness can be ascertained. It is unclear if the depth and thickness are necessarily in the same direction.
4. Regarding Claims 5 and 17, it is unclear exactly what it means for the decorative band to be “substantially formed in the shape of a ring.” It is unclear if the band is necessarily in the shape of a circle, or if the band could be another shape that forms an outside boundary, such as a square. It is also unclear if the “ring” shape is intended to refer to the appearance of a radial cross section of the band, an axial cross section of the band, or something else entirely.
5. Claims 5, 6, 17 and 18 recite the limitation of having the decorative band being provided at the inside and outside surfaces with at least one fixing hole, protrusion or fixing groove. It is unclear if there can only be one fixing hole, protrusion or fixing groove, such that only one of the inside or outside surfaces possess this feature, or if

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each of the inside and outside posses at least one of these features, such that there has to be at least two total features. Furthermore, it is unclear if the "inside" refers to the portion of the band opposite the front of the washing machine or the portion of the band on the inner periphery of the ring. For similar reasons, the location of the "outside" is also unclear.

6. Regarding Claims 9 and 13, it is unclear if Applicant is claiming a metal which somehow exhibits zero luster by any measure, or the surface is buffed to have low luster, or the metal surface must be covered such that no light can reflect from the metal.

Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

8. Claims 1-7, 10, 11, 19 and 20 are rejected under 35 U.S.C. 102(b) as being anticipated by Buekuelmez et al. (WO 02/14593).

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9. Regarding Claims 1-6 and 10, Buekuelmez discloses a door for a drum type washing machine comprising:

- a. a door frame (Figure 9, part 12) having a depression formed at the endge of the front surface thereof (see Figure 9, the door frame, 12, forms a c-shaped depression), the depression has a depth (bottom-to-top direction of Figure 9) equal to the thickness of the decorative band (bottom-to-top direction of Figure 9);
- b. a decorative band attached to the front surface of the door frame (11 and the portion of part 8 which is directly above part 11 in Figure 9) being substantially formed in the shape of a ring (see Figure 3);
- c. a door glass disposed at the edge of the inner circumferential surface of the door frame, the door glass being made of a transparent material, "window" (7);
- d. the decorative band being attached at the edge of the front surface of the door frame (see top portion of Figure 9, near the numeral 8) and having a fixing protrusion (Figure 9, either the leftward protrusion near the numeral 8 or the leftward protrusions near the bottom of the decorative band) and a fixing groove extending a predetermined length (a predetermined length could be any length) along the circumference of the band (Figure 9, either the slightly recessed portion along the top leftward facing protrusion or the v-shaped recess at the bottom of the band).

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10. The phrases of Claims 1 and 10, "formed by injection molding" and inserted in a mold by...such that the decorative band is attached" are considered to be product-by-process limitations and are not considered to structurally distinguish from the cited art. See MPEP 2113, Product-by-Process Claims.

11. Regarding Claims 7 and 11, Buekuelmez discloses that the door frame, "frame" (8) is made of plastic (page 3, line 31) but the decorative band, "frame surface," (11) is made of transparent or light transmitting, preferably semi-transmitting material or glass, and a light transmitting material or glass would have a different luster than plastic.

12. Regarding Claims 19 and 20, Buekuelmez is relied upon as applied to Claims 1-6 and 10. Buekuelmez further discloses the following drum type washing machine comprising:

- a. a cabinet forming the outer appearance of the washing machine (Figure 2);
- b. a front cover mounted at the front surface of the cabinet (9);
- c. a control panel disposed at the upper part of the front cover (Figure 9, part 2; "at the upper part" of the front cover is a relative phrase and is not being interpreted that the control panel is at the top of the washing machine or that the control panel is necessarily directly attached or a part of the front cover);
- d. a control unit disposed at the front surface of the control panel for controlling the operation of the washing machine and inputting washing conditions (18);

- e. a door disposed at the center part of the front cover such that the door can be opened when laundry is to be put into the washing machine (Figure 2, part 1).

13. Claims 1-18 are rejected under 35 U.S.C. 102(a and e) as being anticipated by Ha et al. (US 2005/0138974).

The applied reference has a common inventor and a common assignee with the instant application. Based upon the earlier effective U.S. filing date of the reference, it constitutes prior art under 35 U.S.C. 102(e). This rejection under 35 U.S.C. 102(e) might be overcome either by a showing under 37 CFR 1.132 that any invention disclosed but not claimed in the reference was derived from the inventor of this application and is thus not the invention "by another," or by an appropriate showing under 37 CFR 1.131.

- 14. Ha discloses a door for a drum type washing machine comprising:
 - a. a door frame (72) being made of a plastic (paragraph 60);
 - b. a decorative band attached to the front surface of the door frame (100), the decorative band being attached to the edge of the front surface of the door frame (see Figure 4), the door frame having a depression (Figure 4, the portion that the band sits in), its depth being equal to the thickness of the decorative band, the decorative band being in a ring shape and having fixing holes or fixing grooves (see Figure 10, part 116)
 - c. a door glass disposed at the edge of the inner circumferential surface of the door frame, the door glass being made of a transparent material (90);

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d. the decorative band being made of metal (paragraph 64), but having a scratched texture such that it would inherently have low, and different luster than a plastic, which is considered to read on being "lusterless," (paragraphs 66 and 67);

Claim Rejections - 35 USC § 103

15. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

16. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

17. Claims 8, 9 and 12-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Buekuelmez et al. (WO 02/14593).

18. Regarding Claims 8, 9, 12 and 13, Buekuelmez is relied upon as applied to Claims 1-7, 10, 11, 19 and 20.

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19. Buekuelmez does not expressly disclose that the decorative band is metallicity lusterless, as in Claim 8, or that the metallicity lusterless band of Claim 8 is made of metal, as in Claim 9. Buekuelmez also does not expressly disclose that the decorative band is made of metal, as in Claim 12, or that the metallic band of Claim 12 is metallicity lusterless, as in Claim 13. Buekuelmez does, however, disclose that a portion of the decorative band is plastic (the top-right portion of the band, above part 11, in Figure 9)

20. It would have been obvious to one of ordinary skill in the art at the time of the invention to make the plastic top portion of the decorative band out of metal, or even to have metal reinforcements on part 11, because it is very well-known to use metal as a construction/reinforcement material for its superior strength. Furthermore, it would have been obvious to make the plastic or metallic decorative band metallicity lusterless because this simply reads on having the objects covered in a nonmetallic paint, and it is well-known to protect objects from damage by painting them

21. Claims 14-18 are considered to be taught by Buekuelmez as applied to Claims 1-7, 10, 11, 19 and 20.

Conclusion

22. Any inquiry concerning this communication or earlier communications from the examiner should be directed to DAVID CORMIER whose telephone number is (571) 270-7386. The examiner can normally be reached on Monday - Thursday 8:30 - 6:00.

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23. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Barr can be reached on (571) 272-1414. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

24. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Michael Barr/
Supervisory Patent Examiner, Art
Unit 1792

/DGC/
David Cormier
06/07/2009